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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

|                           |   |                                   |
|---------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA, | ) | Case No. 23-mj-70972-MAG-1 (KAW)  |
|                           | ) |                                   |
| Plaintiff,                | ) |                                   |
|                           | ) | STIPULATION AND ORDER TO CONTINUE |
| v.                        | ) | HEARING AND TO EXCLUDE TIME UNDER |
|                           | ) | RULE 5.1 AND THE SPEEDY TRIAL ACT |
|                           | ) |                                   |
| ISMAEL HODSON,            | ) |                                   |
|                           | ) |                                   |
| Defendant.                | ) |                                   |

The parties in the above-captioned case are scheduled to appear for a status on August 3, 2023. The parties jointly agree and request that the hearing be continued until September 14, 2023 at 10:30 AM.

The parties stipulate that the time from August 3, 2023, through and including September 14, 2023, should be excluded from the period of time within which to conduct a preliminary hearing or charge by Indictment under Federal Rule of Criminal Procedure 5.1 and 18 U.S.C. § 3161(b). The parties further stipulate that the time from August 3, 2023, through and including September 14, 2023, should be excluded from the period of time within which the defendant's trial must commence pursuant to the Speedy Trial Act because a failure to do so would unreasonably deny the defendant the reasonable

1 time necessary for effective preparation, particularly in light of the anticipated discovery related to the  
2 new charge and the execution of a recent search warrant at Hodson's residence that counsel will review  
3 with his client. The parties agree that the ends of justice served by granting the request outweigh the  
4 best interest of the public and the defendant in a speedy trial. Defendant Ismael Hodson has been  
5 advised of the requested continuance and specifically consent to the exclusion of time within which to  
6 conduct a preliminary hearing in this matter, and to the extension of the date by which an indictment or  
7 information must be filed.

8  
9 **IT IS SO STIPULATED.**

ISMAIL J. RAMSEY  
United States Attorney

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12 Dated: August 2, 2023

\_\_\_\_\_/s/\_\_\_\_\_  
MAYA KARWANDE  
Assistant United States Attorney

13  
14  
15  
16 Dated: August 2, 2023

\_\_\_\_\_/s/\_\_\_\_\_  
BRIAN GETZ  
Counsel for Defendant Ismael Hodson

## ORDER

Based on the stipulations of the parties above, and for good cause shown, the status or preliminary hearing will be continued until September 14, 2023 at 10:30 AM. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance in this matter, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, as well as to waive the timing for preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure.

The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in the filing of an information or indictment within the time period set forth in 18 U.S.C. § 3161(b); and (ii) failure to grant the continuance would unreasonably deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

The status or preliminary hearing in this matter is continued to September 14, 2023 at 10:30 AM. The time period from August 3, 2023 to September 14, 2023, inclusive, is excluded in computing the time within which an information or indictment must be filed under 18 U.S.C. § 3161(b) pursuant to the provisions of 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i), and (B)(iv).

IT IS SO ORDERED.

August 2, 2023

DATE

  
HON. KANDIS A. WESTMORE  
United States Magistrate Judge